

**THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
VEALE E. GENTNER	:	BK. No. 18-12165-mdc
Debtor	:	
	:	Chapter No. 13
U.S. BANK NATIONAL ASSOCIATION, AS	:	
TRUSTEE FOR RESIDENTIAL FUNDING	:	
MORTGAGE SECURITIES I, INC.,	:	
MORTGAGE PASS-THROUGH	:	
CERTIFICATES, SERIES 2007-S6	:	11 U.S.C. §362
Movant	:	
v.		
VEALE E. GENTNER		
Respondent		

**MOTION OF U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RESIDENTIAL
FUNDING MORTGAGE SECURITIES I, INC., MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-S6 FOR RELIEF FROM AUTOMATIC STAY UNDER §362
PURSUANT TO BANKRUPTCY PROCEDURE RULE 4001**

Movant, by its attorneys, PHELAN HALLINAN DIAMOND & JONES, LLP, hereby requests a termination of Automatic Stay and leave to foreclose on its mortgage on real property owned by Debtor VEALE E. GENTNER and Non-Filing Co-Debtor ELIZABETH T. GENTNER (deceased).

1. Movant is **U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RESIDENTIAL FUNDING MORTGAGE SECURITIES I, INC., MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-S6.**

2. Debtor, VEALE E. GENTNER and Non-Filing Co-Debtor ELIZABETH T. GENTNER (deceased) are the owners of the premises located at **676 JEFFERSON ROAD, BRYN MAWR, PA 19010**, hereinafter known as the mortgaged premises.

3. Movant is the holder of a mortgage on the mortgaged premises.

4. Debtor's failure to tender monthly payments in a manner consistent with the terms of the Mortgage and Note result in a lack of adequate protection.

5. Movant wishes to proceed with foreclosure proceedings on the mortgage because of Debtor's failure to make the monthly payment required hereunder.

6. The foreclosure proceedings were stayed by the filing of the instant Chapter 13

7. As of October 22, 2018, Debtor has failed to tender post-petition mortgage payments for the months of August 2018 through October 2018. The monthly payment amount for the months of August 2018 through October 2018 is \$2,529.14, less suspense in the amount of \$2,130.86, for a total amount due of \$5,456.56. The next payment is due on or before November 1, 2018 in the amount of \$2,529.14. The following fees and costs have been incurred as of bankruptcy filing: Bankruptcy Fee in the amount of \$500.00, Bankruptcy Fee in the amount of \$250.00, Bankruptcy Fee in the amount of \$500.00, and Bankruptcy Fee in the amount of \$150.00.

8. **Movant, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RESIDENTIAL FUNDING MORTGAGE SECURITIES I, INC., MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-S6**, requests the Court award reimbursement in the amount of \$1,031.00 for the legal fees and costs associated with this Motion.

9. Movant has cause to have the Automatic Stay terminated as to permit Movant to complete foreclosure on its mortgage.

10. Movant specifically requests permission from the Honorable Court to communicate with Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law.

11. OCWEN LOAN SERVICING, LLC services the underlying mortgage loan and note for the property referenced in this Motion for Relief for U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RESIDENTIAL FUNDING MORTGAGE SECURITIES I, INC., MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-S6 (the noteholder) and is entitled to proceed accordingly. Should the Automatic Stay be lifted and/ or set aside by Order of this Court or if this case is dismissed or if the debtor obtains a discharge and a foreclosure action is commenced or recommenced, said foreclosure action will be conducted in the name of U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RESIDENTIAL FUNDING MORTGAGE SECURITIES I, INC., MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-S6 (the

FUNDING MORTGAGE SECURITIES I, INC., MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-S6 (the noteholder) has the right to foreclose because Noteholder is the original mortgagee or beneficiary or assignee of the security instrument for the referenced loan. Noteholder directly or through an agent has possession of the promissory note and the promissory note is either made payable to Noteholder or has been duly endorsed.

WHEREFORE, Movant respectfully requests that this Court enter an Order;

a. modifying the Automatic Stay under Section 362 with respect to **676 JEFFERSON ROAD, BRYN MAWR, PA 19010** (as more fully set forth in the legal description attached to the Mortgage of record granted against the Premises), as to allow Movant, its successors and assignees, to proceed with its rights under the terms of said Mortgage; and

b. Movant specifically requests permission from this Honorable Court to communicate with Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law; and

c. Granting any other relief that this Court deems equitable and just.

/s/ Thomas Song, Esquire
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November 7, 2018